

**AMENDMENTS TO THE DRAWINGS**

The attached two sheets of drawings include amendments to Figures 1, 2, and 3.

These two sheets, which include Figures 1-6, replace the original two sheets including Figures 1-

6. In Figures 1-3, the legend "Related Art" has been added.

Attachment: Replacement Sheets (2)  
Annotated Sheets Showing Changes (2)

**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-3, 5, and 7-29 are pending in this application. Claims 1, 2, 9, 12, 13, 20, 25, 26, and 28 are independent. Claims 1, 2, 7, 8, 9, 12, 13, 14, 20, 22, 23, 25, 26, 27, 28, and 29 are hereby amended. Claims 4 and 6 have been canceled without prejudice or disclaimer of subject matter. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. No new matter has been introduced by this amendment. Support for this amendment is provided throughout the Specification. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicant is entitled.

Applicant has amended the drawings and submits herewith corrected drawing sheets.

The Abstract, which was objected to due to informalities, has been amended, thereby obviating the objections.

The amendments to the claims obviate the objections to the claims.

## **II. REJECTIONS UNDER 35 U.S.C. §101**

Claims 1 and 3 were rejected under 35 U.S.C. §101 as allegedly directed to non-statutory subject matter. The amendments to the claims obviate the rejection.

## **III. REJECTIONS UNDER 35 U.S.C. §102**

Claims 1, 2, and 15 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,501,904 to Kuroda.

## **IV. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 2, 8-11, 13, 14, 16-21, and 26 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,512,794 to Fujiwara, et al. in view of U.S. Patent No. 6,631,116, to Eneroth, et al.

Claim 3 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,501,904 to Kuroda in view of U.S. Patent No. 6,499,061 to Benayoun, et al.

Claims 4 and 5 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,512,794 to Fujiwara, et al. in view of U.S. Patent No. 6,631,116, to Eneroth, et al. and further in view of U.S. Patent No. 6,499,061 to Kawamura.

Claims 6 and 7 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,512,794 to Fujiwara, et al. in view of U.S. Patent No. 6,631,116, to Eneroth, et al. and further in view of U.S. Patent No. 6,567,980 to Jain.

Claims 22, 23, and 24 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,512,794 to Fujiwara, et al. in view of U.S. Patent No. 6,631,116, to Eneroth, et al. and further in view of U.S. Patent No. 5,784,528 to Yamane.

Claims 25 and 28 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,696,557 to Yamashita in view of U.S. Patent No. 6,295,296 to Tappan.

## II. RESPONSE TO REJECTIONS

In Sections 7 and 8 of the Office Action the Examiner raises a novelty rejection under 35 U.S.C. §102(e) based on Kuroda (US 6,501,904) with respect to Claims 1, 12 and 15. Applicant submits that with the claim amendments set out above, claim 1 and the other independent claims are distinguished from Kuroda by at least defining a content package which has a system item and one or more other items of picture, audio or auxiliary items, the data in each item being defined in element data blocks and each item having a header preceding the element data block indicating the number of element data blocks in the item. Furthermore, claim 1 is distinguished in that the system item includes metadata relating to the one or more picture audio and auxiliary items.

While Kuroda identifies in Figure 2 a content package having two labels identifying a first packet and a second packet, respectively, and a data count, there is no indication of a system item arranged to include metadata relating one or more of a picture, audio and auxiliary items. While Figure 6 with reference to column 7 line 16 appears to disclose the structure of a synch block of a video region of a recorded signal on a tape, which includes video data as well as video auxiliary data in two fields, the video auxiliary data is disclosed as only providing control data other than video signals (lines 27 to 30). However, even if the system item is equated by the Examiner to the video auxiliary data and picture item is equated to the video data thus providing no disclosure of “metadata relating to the Picture Item”, then claim 1 is

still distinguished from Kuroda by the structure of the system item and the picture item which both include a label, a word count and one or more element data blocks as well as an item header indicating the number of element data blocks in the item.

As disclosed in the application on page 16 between lines 9 and 16 the content package according to claim 1 is provided with an advantage in allowing random access to any of the picture, audio and auxiliary items in the content package because the metadata in the system item is provided in the content package. Furthermore, the structure of the item including a label of the word count and the element data blocks as well as the header allows for rapid access of the data contained in the content package. Accordingly, Claim 1 is patentable.

Correspondingly, Claim 2 is distinguished from Kuroda for the same reasons. Furthermore, Claim 2 is distinguished from US 6,512,794 (Fujiwara) for similar reasons. Fujiwara discloses a signal format for use in a system which transfers data to and from an SDTI system.

Furthermore, Applicant submits that Fujiwara has a PCT publication date of February 10, 2000, which is after Applicant's priority date of November 6, 1999. Therefore, Applicant submits Fujiwara is not prior art.

As indicated above, the amendments to claims 1 and 2 have been made to include the subject matter of Claim 4 as well as Claim 6. The Examiner in his analysis of the limitations of Claim 4 rejects, Claim 4 as being obvious over Fujiwara in view of the Eneroth (US 6,631,116) in combination with Benayoun (US 6,499,061).

Concerning the Benayoun reference, the Examiner asserts that Benayoun discloses, with reference to Figure 3 and column 1, lines 50-67 and column 6, lines 27-60, that each item comprises one or more data blocks and has a header indicating the number of data blocks in the item. Applicant respectfully submits that this is not in fact disclosed. Throughout the Benayoun citation, the labels of each packet are used to identify the flow of the packets through the communications network between the transmitter and the receiver. In contrast therefore the labels of claims 1 and 2 identify that the data item is one of system, picture, audio or auxiliary data.

With respect to the recitations introduced by Claim 6, the Examiner rejects Claim 6 in view of US 6, 567,980 (Jain et al). The Examiner in particular relies on Figure 6 of Fujiwara in combination with Jain. However, although the Examiner recites that Jain discloses metadata, there is no disclosure in Jain of a data format defining a content package according to claims 1 and 2. The mere disclosure of metadata does not render amended claims 1 or 2 obvious. This is because there is no disclosure in the combination of documents which the Examiner has cited of the content package including a system item and one or more of a picture, audio, auxiliary items and in which the system item is arranged to include metadata relating to the picture, audio and auxiliary items.

In arriving at the conclusion that claims 1 and 2 are obvious the Examiner also relies on Fujiwara, in particular with reference to Figure 6. However, Figure 6 of Fujiwara does not disclose a system item and one or more of a picture, audio or auxiliary items, with each item comprising a number of bytes of the data, the data being provided as one or more element data blocks with a header preceding the element data block, indicating the number of element data blocks in the item. Furthermore, with respect to claim 2, Fujiwara does not disclose that the

content package is an SDTI content package in which an identifier which identifies the item replaces the start code with the end code of the item being removed.

Correspondingly, it is submitted that claims 12, 13, 20, 25, 26 and 28 are novel and not obvious in view of Fujiwara, Kuroda, Kawamura and Jain because these documents taken alone or in combination do not disclose all of the features of the SDTI content package according to these claims. It is therefore submitted that independent claims of the application as amended are distinguished from the combination of prior art documents because these do not disclose, alone or in combination, a system item providing metadata for a picture, audio or auxiliary item which are identified in accordance with a specified label identifying the item with a number of bytes and one or more element data blocks with an item header.

## **V. DEPENDENT CLAIMS**

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

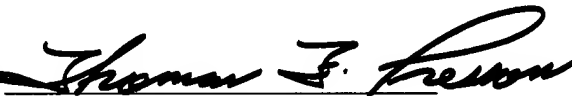
## **CONCLUSION**

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

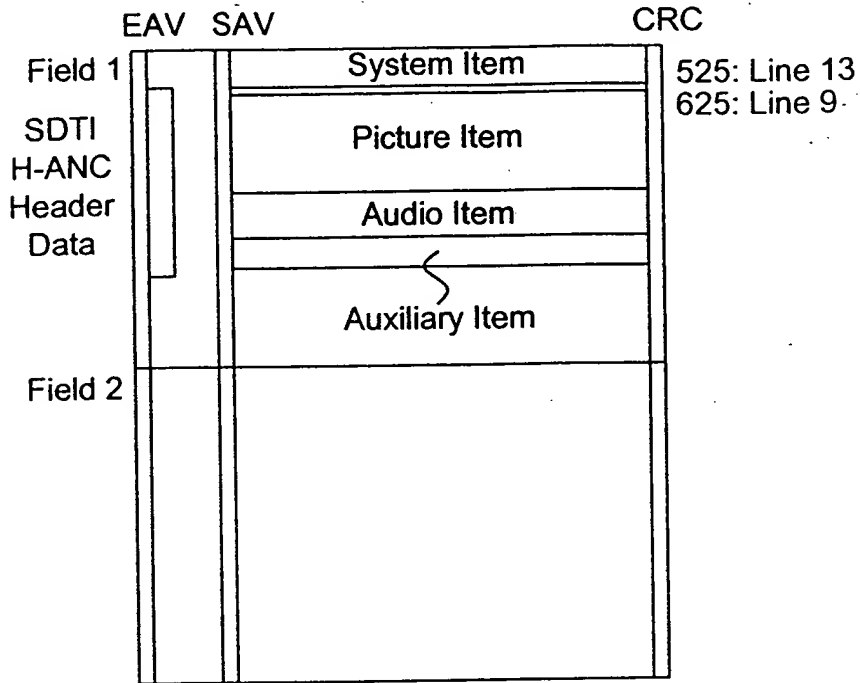
Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicant

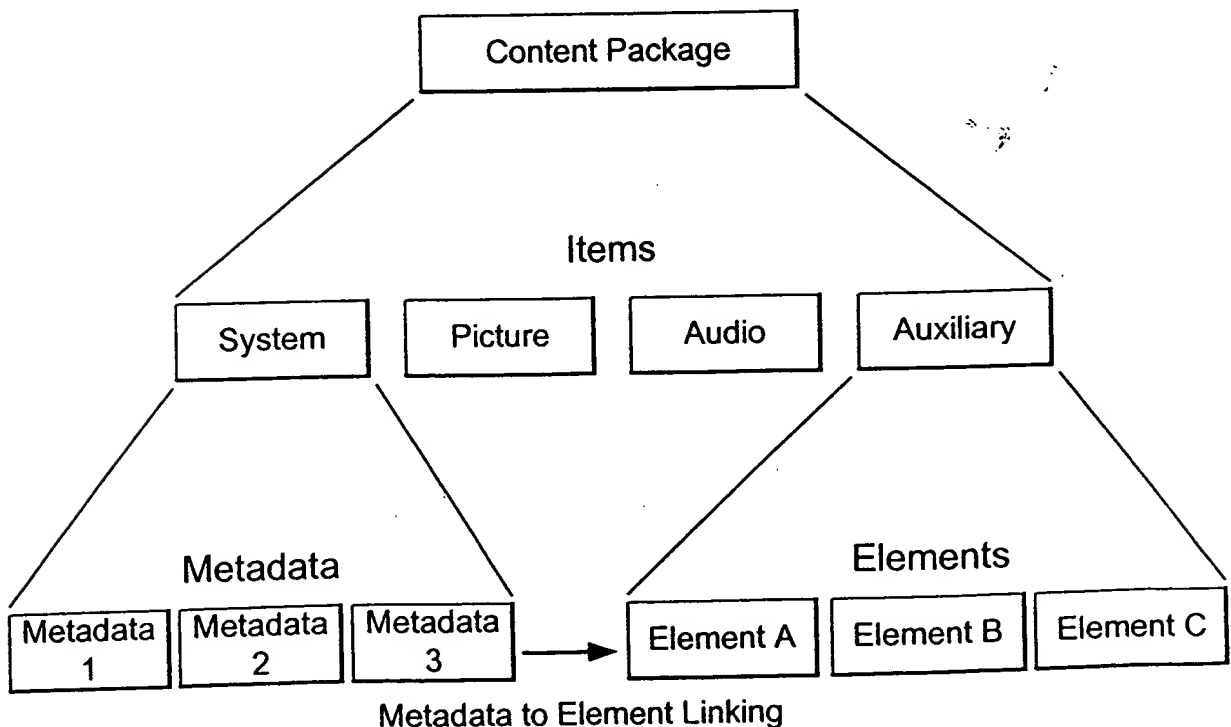
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**Fig. 1** Arrangement of System, Picture, Audio and Auxiliary Items in a Content Package on SDTI.  
RELATED ART

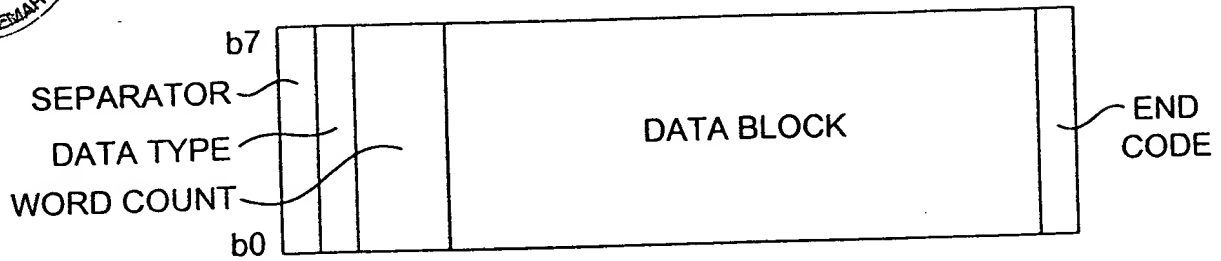


**Fig. 2** RELATED ART  
Content Package Structure.

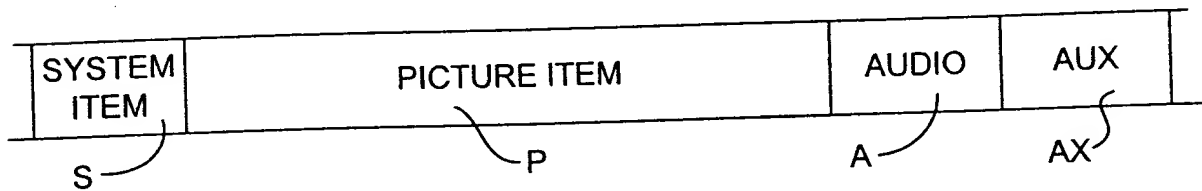




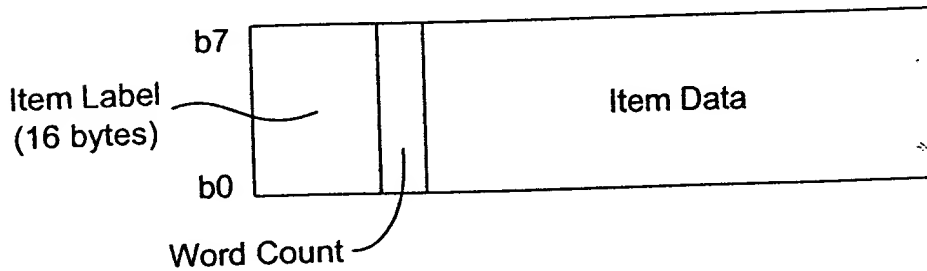
**Fig.3** RELATED ART  
Format of the SDTI Variable Block.



**Fig.4** System, Picture, Audio and Auxiliary Items in one Content Package.



**Fig.5** Data Structure of each Item Variable Block.



**Fig.6** Structure of Picture, Audio and Auxiliary Items.

